

(2) sells, leases, rents, lends, exchanges, or licenses the use of, or, except for the purpose expressly authorized by section 3010 of title 39, uses a mailing list maintained by the Board of Governors under such section;

shall be fined under this title or imprisoned not more than five years, or both, for the first offense, and shall be fined under this title or imprisoned not more than ten years, or both, for any second or subsequent offense.

(b) For the purposes of this section, the term “sexually oriented advertisement” shall have the same meaning as given it in section 3010(d) of title 39.

(Added Pub. L. 91-375, §6(j)(37)(A), Aug. 12, 1970, 84 Stat. 781; amended Pub. L. 103-322, title XXXIII, §330016(1)(K), (L), Sept. 13, 1994, 108 Stat. 2147.)

#### AMENDMENTS

1994—Subsec. (a). Pub. L. 103-322, in concluding provisions, substituted “fined under this title” for “fined not more than \$5,000” after “shall be” and for “fined not more than \$10,000” after “and shall be”.

#### EFFECTIVE DATE

Section effective on first day of sixth month which begins after Aug. 12, 1970, see section 15(b) of Pub. L. 91-375, set out as a note preceding section 101 of Title 39, Postal Service.

### § 1736. Restrictive use of information

(a) No information or evidence obtained by reason of compliance by a natural person with any provision of section 3010 of title 39, or regulations issued thereunder, shall, except as provided in subsection (c) of this section, be used, directly or indirectly, as evidence against that person in a criminal proceeding.

(b) The fact of the performance of any act by an individual in compliance with any provision of section 3010 of title 39, or regulations issued thereunder, shall not be deemed the admission of any fact, or otherwise be used, directly or indirectly, as evidence against that person in a criminal proceeding, except as provided in subsection (c) of this section.

(c) Subsections (a) and (b) of this section shall not preclude the use of any such information or evidence in a prosecution or other action under any applicable provision of law with respect to the furnishing of false information.

(Added Pub. L. 91-375, §6(j)(37)(A), Aug. 12, 1970, 84 Stat. 781.)

#### EFFECTIVE DATE

Section effective on first day of sixth month which begins after Aug. 12, 1970, see section 15(b) of Pub. L. 91-375, set out as a note preceding section 101 of Title 39, Postal Service.

### § 1737. Manufacturer of sexually related mail matter

(a) Whoever shall print, reproduce, or manufacture any sexually related mail matter, intending or knowing that such matter will be deposited for mailing or delivery by mail in violation of section 3008 or 3010 of title 39, or in violation of any regulation of the Postal Service issued under such section, shall be fined under

this title or imprisoned not more than five years, or both, for the first offense, and shall be fined under this title or imprisoned not more than ten years, or both, for any second or subsequent offense.

(b) As used in this section, the term “sexually related mail matter” means any matter which is within the scope of section 3008(a) or 3010(d) of title 39.

(Added Pub. L. 91-375, §6(j)(37)(A), Aug. 12, 1970, 84 Stat. 781; amended Pub. L. 103-322, title XXXIII, §330016(1)(K), (L), Sept. 13, 1994, 108 Stat. 2147.)

#### AMENDMENTS

1994—Subsec. (a). Pub. L. 103-322 substituted “fined under this title” for “fined not more than \$5,000” after “section, shall be” and for “fined not more than \$10,000” after “offense, and shall be”.

#### EFFECTIVE DATE

Section effective on first day of sixth month which begins after Aug. 12, 1970, see section 15(b) of Pub. L. 91-375, set out as a note preceding section 101 of Title 39, Postal Service.

### § 1738. Mailing private identification documents without a disclaimer

(a) Whoever, being in the business of furnishing identification documents for valuable consideration, and in the furtherance of that business, uses the mails for the mailing, carriage in the mails, or delivery of, or causes to be transported in interstate or foreign commerce, any identification document—

(1) which bears a birth date or age purported to be that of the person named in such identification document; and

(2) knowing that such document fails to carry diagonally printed clearly and indelibly on both the front and back “NOT A GOVERNMENT DOCUMENT” in capital letters in not less than twelve point type;

shall be fined under this title, imprisoned not more than one year, or both.

(b) For purposes of this section the term “identification document” means a document which is of a type intended or commonly accepted for the purpose of identification of individuals and which is not issued by or under the authority of a government.

(Added Pub. L. 97-398, §4(a), Dec. 31, 1982, 96 Stat. 2011; amended Pub. L. 103-322, title XXXIII, §330016(1)(H), Sept. 13, 1994, 108 Stat. 2147.)

#### AMENDMENTS

1994—Subsec. (a). Pub. L. 103-322 substituted “fined under this title” for “fined not more than \$1,000” in concluding provisions.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 39 section 3001.

## CHAPTER 84—PRESIDENTIAL AND PRESIDENTIAL STAFF ASSASSINATION, KIDNAPING, AND ASSAULT

#### Sec.

1751. Presidential and Presidential staff assassination, kidnapping, and assault; penalties.

1752. Temporary residences and offices of the President and others.

Sec.

## AMENDMENTS

1994—Pub. L. 103-322, title XXXIII, § 330021(1), Sept. 13, 1994, 108 Stat. 2150, which directed the amendment of this title “by striking ‘kidnaping’ each place it appears and inserting ‘kidnapping’”, was executed by substituting “KIDNAPPING” for “KIDNAPING” in chapter heading, to reflect the probable intent of Congress.

Pub. L. 103-322, title XXXIII, § 330021(1), Sept. 13, 1994, 108 Stat. 2150, substituted “kidnapping” for “kidnaping” in item 1751.

1990—Pub. L. 101-647, title XXXV, § 3553, Nov. 29, 1990, 104 Stat. 4926, added item 1752.

1982—Pub. L. 97-285, § 4(b), (c), Oct. 6, 1982, 96 Stat. 1220, inserted “and Presidential staff” after “Presidential” in chapter heading and in item 1751.

**§ 1751. Presidential and Presidential staff assassination, kidnapping, and assault; penalties**

(a) Whoever kills (1) any individual who is the President of the United States, the President-elect, the Vice President, or, if there is no Vice President, the officer next in the order of succession to the Office of the President of the United States, the Vice President-elect, or any person who is acting as President under the Constitution and laws of the United States, or (2) any person appointed under section 105(a)(2)(A) of title 3 employed in the Executive Office of the President or appointed under section 106(a)(1)(A) of title 3 employed in the Office of the Vice President, shall be punished as provided by sections 1111 and 1112 of this title.

(b) Whoever kidnaps any individual designated in subsection (a) of this section shall be punished (1) by imprisonment for any term of years or for life, or (2) by death or imprisonment for any term of years or for life, if death results to such individual.

(c) Whoever attempts to kill or kidnap any individual designated in subsection (a) of this section shall be punished by imprisonment for any term of years or for life.

(d) If two or more persons conspire to kill or kidnap any individual designated in subsection (a) of this section and one or more of such persons do any act to effect the object of the conspiracy, each shall be punished (1) by imprisonment for any term of years or for life, or (2) by death or imprisonment for any term of years or for life, if death results to such individual.

(e) Whoever assaults any person designated in subsection (a)(1) shall be fined under this title, or imprisoned not more than ten years, or both. Whoever assaults any person designated in subsection (a)(2) shall be fined under this title, or imprisoned not more than one year, or both; and if the assault involved the use of a dangerous weapon, or personal injury results, shall be fined under this title, or imprisoned not more than ten years, or both.

(f) The terms “President-elect” and “Vice-President-elect” as used in this section shall mean such persons as are the apparent successful candidates for the offices of President and Vice President, respectively, as ascertained from the results of the general elections held to determine the electors of President and Vice President in accordance with title 3, United States Code, sections 1 and 2.

(g) The Attorney General of the United States, in his discretion is authorized to pay an amount

not to exceed \$100,000 for information and services concerning a violation of subsection (a)(1). Any officer or employee of the United States or of any State or local government who furnishes information or renders service in the performance of his official duties shall not be eligible for payment under this subsection.

(h) If Federal investigative or prosecutive jurisdiction is asserted for a violation of this section, such assertion shall suspend the exercise of jurisdiction by a State or local authority, under any applicable State or local law, until Federal action is terminated.

(i) Violations of this section shall be investigated by the Federal Bureau of Investigation. Assistance may be requested from any Federal, State, or local agency, including the Army, Navy, and Air Force, any statute, rule, or regulation to the contrary notwithstanding.

(j) In a prosecution for an offense under this section the Government need not prove that the defendant knew that the victim of the offense was an official protected by this section.

(k) There is extraterritorial jurisdiction over the conduct prohibited by this section.

(Added Pub. L. 89-141, § 1, Aug. 28, 1965, 79 Stat. 580; amended Pub. L. 97-285, §§ 3, 4(a), Oct. 6, 1982, 96 Stat. 1220; Pub. L. 103-322, title XXXII, § 320101(e), title XXXIII, §§ 330016(1)(K), (L), 330021(1), Sept. 13, 1994, 108 Stat. 2108, 2147, 2150; Pub. L. 104-294, title VI, § 604(b)(12)(D), Oct. 11, 1996, 110 Stat. 3507.)

## AMENDMENTS

1996—Subsec. (e). Pub. L. 104-294, § 604(b)(12)(D), repealed Pub. L. 103-322, § 320101(e)(1), (2). See 1994 Amendment notes below.

1994—Pub. L. 103-322, § 330021(1), substituted “kidnaping” for “kidnaping” in section catchline.

Subsec. (e). Pub. L. 103-322, § 330016(1)(K), substituted “fined under this title” for “fined not more than \$5,000” after “subsection (a)(2) shall be”.

Pub. L. 103-322, § 330016(1)(L), substituted “fined under this title” for “fined not more than \$10,000” after “subsection (a)(1) shall be” and after “results, shall be”.

Pub. L. 103-322, § 320101(e)(3), inserted “the assault involved the use of a dangerous weapon, or” before “personal injury results”.

Pub. L. 103-322, § 320101(e)(2), which provided for amendment identical to Pub. L. 103-322, § 330016(1)(K), above, was repealed by Pub. L. 104-294, § 604(b)(12)(D).

Pub. L. 103-322, § 320101(e)(1), which provided for amendment identical to Pub. L. 103-322, § 330016(1)(L), above, was repealed by Pub. L. 104-294, § 604(b)(12)(D).

1982—Pub. L. 97-285, § 4(a), inserted “and Presidential staff” after “Presidential” in section catchline.

Subsec. (a). Pub. L. 97-285, § 3(a), inserted “(1)” after “Whoever kills” and “or (2) any person appointed under section 105(a)(2)(A) of title 3 employed in the Executive Office of the President or appointed under section 106(a)(1)(A) of title 3 employed in the Office of the Vice President,” after “laws of the United States”.

Subsec. (e). Pub. L. 97-285, § 3(b), substituted “(a)(1)” for “(a)” and inserted provision that whoever assaults any person designated in subsec. (a)(2) of this section shall be fined not more than \$5,000, or imprisoned not more than one year, or both; and if personal injury results, shall be fined not more than \$10,000, or imprisoned not more than ten years, or both.

Subsec. (g). Pub. L. 97-285, § 3(c), substituted “subsection (a)(1)” for “this section” after “a violation of”.

Subsecs. (j), (k). Pub. L. 97-285, § 3(d), added subsecs. (j) and (k).

## EFFECTIVE DATE OF 1996 AMENDMENT

Amendment by Pub. L. 104-294 effective Sept. 13, 1994, see section 604(d) of Pub. L. 104-294, set out as a note under section 13 of this title.

## CROSS REFERENCES

Wire or oral communications, authorization for interception, to provide evidence of offenses under this section, see section 2516 of this title.

## SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 209, 1956, 2332b, 2339A, 2516, 3286, 4247 of this title; title 5 section 8112.

### § 1752. Temporary residences and offices of the President and others

(a) It shall be unlawful for any person or group of persons—

(1) willfully and knowingly to enter or remain in

(i) any building or grounds designated by the Secretary of the Treasury as temporary residences of the President or other person protected by the Secret Service or as temporary offices of the President and his staff or of any other person protected by the Secret Service, or

(ii) any posted, cordoned off, or otherwise restricted area of a building or grounds where the President or other person protected by the Secret Service is or will be temporarily visiting,

in violation of the regulations governing ingress or egress thereto:

(2) with intent to impede or disrupt the orderly conduct of Government business or official functions, to engage in disorderly or disruptive conduct in, or within such proximity to, any building or grounds designated in paragraph (1) when, or so that, such conduct, in fact, impedes or disrupts the orderly conduct of Government business or official functions;

(3) willfully and knowingly to obstruct or impede ingress or egress to or from any building, grounds, or area designated or enumerated in paragraph (1); or

(4) willfully and knowingly to engage in any act of physical violence against any person or property in any building, grounds, or area designated or enumerated in paragraph (1).

(b) Violation of this section, and attempts or conspiracies to commit such violations, shall be punishable by a fine under this title or imprisonment not exceeding six months, or both.

(c) Violation of this section, and attempts or conspiracies to commit such violations, shall be prosecuted by the United States attorney in the Federal district court having jurisdiction of the place where the offense occurred.

(d) The Secretary of the Treasury is authorized—

(1) to designate by regulations the buildings and grounds which constitute the temporary residences of the President or other person protected by the Secret Service and the temporary offices of the President and his staff or of any other person protected by the Secret Service, and

(2) to prescribe regulations governing ingress or egress to such buildings and grounds

and to posted, cordoned off, or otherwise restricted areas where the President or other person protected by the Secret Service is or will be temporarily visiting.

(e) None of the laws of the United States or of the several States and the District of Columbia shall be superseded by this section.

(f) As used in this section, the term “other person protected by the Secret Service” means any person whom the United States Secret Service is authorized to protect under section 3056 of this title when such person has not declined such protection.

(Added Pub. L. 91-644, title V, § 18, Jan. 2, 1971, 84 Stat. 1891; amended Pub. L. 97-308, § 1, Oct. 14, 1982, 96 Stat. 1451; Pub. L. 98-587, § 3(b), Oct. 30, 1984, 98 Stat. 3112; Pub. L. 103-322, title XXXIII, § 330016(1)(G), Sept. 13, 1994, 108 Stat. 2147.)

## AMENDMENTS

1994—Subsec. (b). Pub. L. 103-322, which directed the amendment of this section by substituting “under this title” for “not more than \$500”, was executed in subsec. (b) by substituting “under this title” for “not exceeding \$500” to reflect the probable intent of Congress.

1984—Subsec. (f). Pub. L. 98-587 amended subsec. (f) generally, substituting “any person whom the United States Secret Service is authorized to protect under section 3056 of this title when such person has not declined such protection” for “any person authorized by section 3056 of this title or by Public Law 90-331, as amended, to receive the protection of the United States Secret Service when such person has not declined such protection pursuant to section 3056 of this title or pursuant to Public Law 90-331, as amended”.

1982—Pub. L. 97-308, § 1(a), substituted “Temporary residences and offices of the President and others” for “Temporary residence of the President” in section catchline.

Subsec. (a)(1)(i). Pub. L. 97-308, § 1(b), made one’s presence unlawful at designated temporary residences and temporary offices of any other person protected by the Secret Service.

Subsec. (a)(1)(ii). Pub. L. 97-308, § 1(c), inserted “or other person protected by the Secret Service” after “President”.

Subsec. (d)(1). Pub. L. 97-308, § 1(d), authorized regulations for designation of the temporary residences and the temporary offices of any other person protected by the Secret Service.

Subsec. (d)(2). Pub. L. 97-308, § 1(e), inserted “or other person protected by the Secret Service” after “President”.

Subsec. (f). Pub. L. 97-308, § 1(f), added subsec. (f).

## SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 3056 of this title.

## CHAPTER 85—PRISON-MADE GOODS

Sec. 1761.	Transportation or importation.
1762.	Marking packages.

### § 1761. Transportation or importation

(a) Whoever knowingly transports in interstate commerce or from any foreign country into the United States any goods, wares, or merchandise manufactured, produced, or mined, wholly or in part by convicts or prisoners, except convicts or prisoners on parole, supervised release, or probation, or in any penal or reformatory institution, shall be fined under this title or imprisoned not more than two years, or both.

(b) This chapter shall not apply to agricultural commodities or parts for the repair of